

### **REMARKS**

The restriction requirement of June 27, 2006 has been carefully studied. The claims in the case are now 1-19, claims 16-19 being newly added and which read on catalyst C1 of Example 1.

In response to the restriction requirement, Applicants elect claims to the catalyst, currently 1-9 and 16-19. Inasmuch as the non-elected invention relates to the use of the catalyst, Applicants will request rejoinder of the non-elected claims so long as they are dependent on allowable catalyst claims.

On page 3 of the Office Action, paragraphs 2, 3 and 4 relate to election of species, but the Examiner has not identified any species to elect much less any reasons why such species are independent or distinct. Referring to MPEP § 809.02(a), it is seen that a proper election of species requires the Examiner to:

(A) Identify generic claims;

(B) Clearly identify each of the disclosed species in which claims are to be restricted.

Indeed, in Form 8.01 which is repeated in MPEP § 809.02(a) the first paragraph of that form states:

"This application contains claims directed to the following patentably distinct species [1]. The species are independent or distinct because [2]."

In the absence of a proper election of species requirement, Applicants cannot provide an appropriate election.

Contingent upon the Examiner making a proper election of species requirement, Applicants would likely elect Example 1, catalyst C1 upon which claims 1-6, 9 and 16-19 are believed to be readable.

In view of this response, an early action on the merits of the application is courteously requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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